IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 306 OF 2007

Prasheen S. Lotlikar .... Petitioner
V/s
1. The State of Goa,
through its Chief Secretary and Anr. .... Respondents.

Mr. R. Menezes, Advocate for the Petitioner.
Mr. S.S. Kantak, Advocate General with Ms. L. Dharwadkar, Addl. Govt. Advocate for the Respondents.

Coram : D.B. BHOSALE &
N.A. BRITTO, JJ.

Date : 26th November, 2007.

ORAL ORDER :

Heard learned Counsel for the parties.

2. The main prayers in this Writ Petition read thus;

(A) That the Hon'ble Court may be pleased to issue a Writ of *Mandamus* or any writ, order or direction in the nature of *Mandamus*, commanding and directing that Respondents to take necessary steps to repair and dilapidated ferries, as necessary, and to on a regular and timely basis, inspect and service the ferries operated by them, and to maintain them in a condition that is safe for the persons aboard them, and further to ensure that adequate life preservation devices are made available on each ferry operated by the R.N.D.

(AA) That the Hon'ble Court may be pleased to direct and command the Respondents to ensure that all ferries operated by the River Navigation are surveyed and have a certificate of survey, as required by Chapter II of the Inland Vessels Act, 1917 and are registered as required by Chapter IIA of the Inland Vessels Act, 1917.

3. On last occasion, the learned Advocate General had made a statement

that the procedure for registration has not yet been completed as there are some questions of finances involved. He had further stated that the registration would be granted after the vessels are surveyed by the Captain of Ports in order to determine their seaworthiness and if any defect in the vessel is found, then removal of the defect will be ensured before any registration is granted.

4. Today, Respondent No.2 has filed an affidavit stating therein that the procedure for registration is provided under Chapter II and II-A of the Inland Vessels Act, 1917. Under Chapter II, a Inland vessel is required to be surveyed in the manner provided and thereafter a certificate of survey is required to be issued. The registration of Inland Vessel is thereafter provided under Chapter II-A. Respondent No.2 undertakes to follow the procedure contemplated under the provisions of the said Act strictly. In view of the statement made and recorded in the order and the affidavit filed today, the learned Counsel for the petitioner in all fairness did not press this petition further. We are satisfied that all the prayers in the petition stand satisfied.

5. In the circumstance, nothing further survives in the writ petition and it is disposed of as such.

D.B. BHOSALE, J.

N.A. BRITTO, J.

NH/-